

AMENDED IN ASSEMBLY APRIL 19, 2007

AMENDED IN ASSEMBLY APRIL 11, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 671

Introduced by Assembly Member Beall

February 21, 2007

An act to ~~amend Section 18937 of, and to add Article 4.2 (commencing with Section 18985) to Chapter 4 of Part 2 of Division 5 of Title 2 of, the Government Code, and to add Section 10609.45 to the Welfare and Institutions Code 5 of Title 2 of the Government Code,~~ relating to state employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 671, as amended, Beall. State employment: ~~preferences:~~ foster youth.

The State Civil Service Act provides for filling certain state positions through the process of examinations and the establishment of eligible lists and promotional lists. Existing law requires that veterans be awarded preference points, as specified, for civil service employment.

This bill would make legislative findings and declarations regarding the state's responsibility for the well-being of foster youth and former foster youth. The bill would require that, in addition to any other state employment preference, qualified foster youth or former foster youth, as defined, who become eligible for certification from eligible lists by attaining the passing mark established for an entrance examination be awarded an additional credit of 10 points for certain examinations, or 5 points for an examination held on an open, nonpromotional basis under a specified provision of law, except as provided. The bill would

~~require the State Department of Social Services to provide certification, as applicable, to a qualified foster youth or former foster youth for the purposes of these provisions. It would require the State Personnel Board to establish an Emancipated Foster Youth Program to promote the hiring of qualified foster youth in specified entry level unclassified positions in any state agency or department as determined by the board. The bill would require a participant in the program to pass a written examination for the classification in which he or she is employed, if generally required for applicants in that classification, after 3 months, but before 9 months, of employment.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The state has a unique obligation to children and youth in
- 4 the foster care system. When the state removes children and youth
- 5 from their parents, it is responsible for providing for the safety and
- 6 well-being of the children and youth and for preparing them for
- 7 self-sufficient adulthood.
- 8 (b) Foster youth who leave the foster care system because of
- 9 age face unique challenges in seeking and obtaining employment
- 10 upon leaving the system. The foster care program provides little
- 11 assistance to youth in finding employment.
- 12 (c) The unemployment rate for youth who have left the foster
- 13 care system because of age is estimated at 50 percent.
- 14 (d) The State of California is a major employer within the state,
- 15 yet state law makes no provision for assisting youth who have left
- 16 the foster care system because of age in becoming civil service
- 17 employees of the state.
- 18 (e) The state owes a unique responsibility to foster youth in
- 19 assisting them to secure permanent employment. It also has an
- 20 obligation to demonstrate to private employers, by example, the
- 21 importance of hiring foster youth and former foster youth.
- 22 (f) It is the intent of the Legislature to recognize the state's role
- 23 as a parent to children and youth in foster care and to assist them
- 24 in securing permanent employment in state government—~~by~~
- 25 ~~providing them a state civil service preference.~~

1 ~~SEC. 2. Section 18937 of the Government Code is amended~~
2 ~~to read:~~

3 ~~18937. The passing mark for an examination may be other than~~
4 ~~the true percentage or average published as a part of the~~
5 ~~announcement of the examination, if deemed by the board or a~~
6 ~~designated appointing power to be justified in order to provide an~~
7 ~~adequate eligible list or to adjust for the apparent difficulty of an~~
8 ~~examination. In establishing any eligible list or promotional list~~
9 ~~following an examination, the names of the persons who have~~
10 ~~attained the passing mark in that examination shall be placed on~~
11 ~~the list in the order of final earned ratings, except as that order~~
12 ~~may be modified by the application of preferences for veterans,~~
13 ~~as provided in Article 4 (commencing with Section 18971), or for~~
14 ~~qualified foster youth or former foster youth, as provided in Article~~
15 ~~4.2 (commencing with Section 18985). When the order of names~~
16 ~~has been determined after applying the appropriate preference~~
17 ~~credits, the board may thereafter limit to suit the needs of the~~
18 ~~service the number of names to be placed on the employment list.~~

19 ~~SEC. 3. Article 4.2 (commencing with Section 18985) is added~~
20 ~~to Chapter 4 of Part 2 of Division 5 of Title 2 of the Government~~
21 ~~Code, to read:~~

22
23 ~~Article 4.2. Preference for Foster Youth~~
24

25 ~~18985. (a) Except as provided in Section 18985.4, for all~~
26 ~~entrance examinations, and in addition to any other state~~
27 ~~employment preference provided by this part, qualified foster youth~~
28 ~~or former foster youth who become eligible for certification from~~
29 ~~eligible lists by attaining the passing mark established for the~~
30 ~~examination shall be awarded an additional credit of 10 points.~~

31 ~~(b) The credit required pursuant to subdivision (a) shall be added~~
32 ~~to the percentage attained in the examination by the qualified foster~~
33 ~~youth or former foster youth. The name of each shall be placed on~~
34 ~~the eligible list and he or she shall be eligible for appointment in~~
35 ~~the order and on the basis of the percentage attained in examination~~
36 ~~after the appropriate credit has been added. All ties shall be decided~~
37 ~~in favor of qualified foster youth and former foster youth.~~

38 ~~(c) For purposes of this section, an entrance examination is any~~
39 ~~open competitive examination other than one for a class having a~~

1 requirement of both college graduation and two or more years of
2 experience.

3 (d) For purposes of this section, the credit specified in
4 subdivision (a) shall be awarded in all qualifying examinations in
5 which the qualified foster youth or former foster youth competes.
6 No credits shall be awarded under subdivision (a) once a qualified
7 foster youth or former foster youth achieves permanent civil service
8 status.

9 18985.2. Any person who successfully passes any state civil
10 service examination, whose name as a result is placed on an
11 employment list, and who, within six months after the
12 establishment of the employment list for which the examination
13 was given, qualifies for the preference described in subdivision
14 (a) of Section 18985 shall be allowed the appropriate credit to the
15 same effect as if he or she were entitled to that credit at the time
16 of the establishing of the employment list. The name of any person
17 who qualifies for that credit under this section shall be placed on
18 the employment list in accordance with Section 18937 as the
19 employment list stands at the time of qualifying for the credit.

20 18985.4. (a) For any entrance examination held on an open,
21 nonpromotional basis under Section 18950, and in addition to any
22 other applicable state employment preference provided by this
23 part, a qualified foster youth or former foster youth who becomes
24 eligible for certification from eligible lists by attaining the passing
25 mark established for the examination, shall be awarded an
26 additional credit of 5 points.

27 (b) Individuals who receive qualified foster youth or former
28 foster youth points under this section are not eligible for career
29 credits pursuant to Sections 18950.1, 18951, and 18951.5.

30 18985.6. Request for, and proof of, eligibility for credits
31 pursuant to this article shall be submitted by the qualified foster
32 youth or former foster youth to the department conducting the
33 employment examination. The procedures and time of filing the
34 request shall be subject to rules adopted by the State Personnel
35 Board, in consultation with the State Department of Social
36 Services.

37 18985.8. For the purposes of this article, “qualified foster youth
38 or former foster youth” means an individual who is 25 years of
39 age or younger and who is certified by the State Department of
40 Social Services as having been, for at least one year at any time

1 on or after the date that the person turns 15 years of age, either a
2 recipient of foster care maintenance payments under a state plan
3 approved under Part E of Title IV of the federal Social Security
4 Act (42 U.S.C. Sec. 670 et seq.), or in a foster care program under
5 the responsibility of the State of California.

6 ~~18985.9.—~~

7 SEC. 2. Article 4.2 (commencing with Section 18985) is added
8 to Chapter 4 of Part 2 of Division 5 of Title 2 of the Government
9 Code, to read:

10
11 *Article 4.2. Emancipated Foster Youth Program*
12

13 18985. (a) The State Personnel Board, in consultation with
14 the State Department of Social Services, shall establish an
15 Emancipated Foster Youth Program to provide state employment
16 opportunities for qualified foster youth or former foster youth. The
17 program shall promote the hiring of qualified foster youth in
18 specified entry level unclassified positions in any state agency or
19 department as determined by the board.

20 (b) A participant in the Emancipated Foster Youth Program
21 shall not apply for a classification unless he or she meets the
22 minimum qualifications for that classification.

23 (c) After a participant in the Emancipated Foster Youth Program
24 has been employed in an unclassified position for three months,
25 but before being employed for nine months, he or she shall take a
26 written examination for the classification in which he or she is
27 employed, if a written examination is generally required for other
28 applicants in that classification. The participant shall be eligible
29 to take the written examination only after receiving a positive
30 recommendation from the appropriate supervisor.

31 (d) A participant in the Emancipated Foster Youth Program
32 who does not pass the written examination for the classification
33 in which he or she is employed, or who does not receive a favorable
34 promotional rating, shall be released from employment.

35 SEC. 4. ~~Section 10609.45 is added to the Welfare and~~
36 ~~Institutions Code, to read:~~

37 ~~10609.45.—The department shall provide any foster youth or~~
38 ~~former foster youth who is 25 years of age or younger, upon~~
39 ~~request, with the certification, if appropriate, necessary to claim~~
40 ~~the civil service hiring preference points required pursuant to~~

1 Article 4.2 (commencing with Section 18985) of Chapter 4 of Part
2 2 of Division 5 of Title 2 of the Government Code. The department
3 shall ensure that all youth who are leaving foster care and who are
4 eligible to claim those civil service hiring preference points are
5 given notice of that eligibility.

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